

REMARKS

Reconsideration and allowance of this application in light of the foregoing amendments and accompanying remarks is respectfully requested.

THE SPECIFICATION AMENDMENTS

The specification has been amended to correct an obvious typographical error in the last line of the second paragraph on page 7 of the specification. The flange 111 of the bushing 11 illustrated in FIGS. 5 and 6 was inadvertently and incorrectly designated with the reference number 121 in the last line of the second paragraph on page 7 of the specification. It is clear from the first paragraph on page 7 of the specification that the correct reference number of the bushing support flange is 111. The first and second sentences of the first paragraph on page 7 of the specification clearly identify the support flange with the correct reference number 111, and this corresponds with FIGS. 5 and 6. It is thus clear that the inadvertent and incorrect use of the reference number 121 in the second paragraph on page 7 of the specification as originally filed is merely a typographical error. Therefore, the correction of the reference number in the second paragraph on page 7 of the specification therefore does not add new matter.

IN THE DRAWINGS: THE OBJECTION TO THE DRAWINGS IS OVERCOME

In Item 2 of the Official Action, the Examiner objected to the drawings for failing to show the flange "121" originally listed on page 7 of the specification. Line 11 on page 7 of the specification has been amended to set forth the correct reference

number as 111. This correction merely corrects a typographical error as explained above in the section entitled "THE SPECIFICATION AMENDMENTS."

In view of the typographical error of the specification, it is clear that the drawings do not require correction. Accordingly, withdrawal of the objection to the drawings is respectfully requested.

THE REJECTIONS OF CLAIMS 1-9 ARE OVERCOME

In Items 3, 4, and 5 of the Official Action, the Examiner has rejected all of the claims. U.S. Patent No. 3,248,021 (Corsette et al.) has been applied in rejecting claims 1-8, and U.S. Patent No. 6,253,941 (Van Brocklin et al.) has been applied in rejecting claims 1, 2, 8, and 9.

--Corsette et al. U.S. Patent N. 3,248,021

The Examiner has indicated that independent claim 1, along with dependent claims 2-8, is anticipated by Corsette et al. The Examiner states that Corsette shows an "annular plate" movable axially away from the attachment means by use of a deformable connection comprising two walls of a groove 75.

Applicants respectfully disagree and believe that the Examiner's assertion is not correct. The annular portion or ring 14 shown in Corsette is clearly not deformable. Rather, only downwardly depending, deformable projections of the lips around groove 75 are crushable to act as a sealing gasket on the neck of the container. In this sense, Corsette's crushable lips are merely analogous to a separate annular seal or gasket, such as the gasket 3, which is illustrated in FIG. 1 of the instant application and which is described in the instant application as a seal.

It should be understood that in the present invention described and claim in the instant application, the gasket or seal 3 need not be part of the attachment device ring 10 that has a plate 102 capable of allowing for relative movement between the plate 102 and the skirt attachment means (e.g., clip-on heads 109) of the ring skirt 101 so as to accommodate variations in height of the container neck (when the container neck is clamped between the plate 102 (with optional underlying seal 3 if provided) and the attachment device ring skirt clip-on heads 109).

There is no teaching, suggestion, or hint in Corsette et al. to accommodate internal movement of a generally rigid annular plate, such as ring 14 in Corsette, wherein such movement would be separate from any crushing of a seal or gasket directly against the top of the container neck. If anything, Corsette teaches away from the present invention by teaching the use of a special crushable lip system around a groove 75 rather than using a separate annular seal or gasket, or no seal or gasket.

In contrast, in the invention set forth in the claims of the instant application, variation of the container neck height can be accommodated by the unique, internally deformable attachment device ring plate--even if no seal is employed.

Further, it would not have been obvious to one of ordinary skill in the art to somehow view Corsette as suggesting that an internal system could be provided for accommodating variation of the height between the clip-on heads 109 of the ring 10 and the annular plate 102 of the ring 10. Rather, Corsette attempts to solve problems in manufacturing tolerances of container necks by merely providing a groove 75

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defined by annular external lips or walls which are crushable. This does not teach or suggest that a plate per se accommodates movement relative to the attachment device ring clip-on heads.

In view of the above discussion, it is believed that Corsette fails as an effective reference. Accordingly, withdrawal of the rejections of claims 1-8 over Corsette is respectfully requested.

--Van Brocklin et al. U.S. Patent No. 6,253,941

The Examiner has rejected claims 1, 2, 8, and 9 over Van Brocklin et al. Van Brocklin et al. fails as an effective reference for many of the same reasons described above with respect to the Corsette et al. reference. In FIGS. 1 and 2 of Van Brocklin et al., there is a ring 26 having an annular plate 30 adapted to fit on top of a container neck. The Examiner states that the annular plate 30 can be moved axially upwards away from the attachment by a deformable connection 54, 32 pressing on the plate on the upper end of the neck of the recipient (e.g., container). However, deformation of the surface of the underside of the Van Brocklin plate 30 does not result from a relative movement of the plate 30 per se relative to the attachment means (42) at the bottom of the skirt.

In fact, Van Brocklin et al. teach away from the present invention set forth in the instant application because Van Brocklin et al. teach the use of a special frustoconical deforming portion 48 to provide a seal. As described at column 5, lines 32-39, the frustoconical portion 48 has an upper region 50 and a lower region 52 which, after deformation, provide a deformed area of contact 54. This deformable

portion 48, to the extent that it is frustoconical, is as much a part of the vertical skirt 34 as it is a feature that depends downwardly from the annular plate or ring 30. In any case, the deformable portion 48 is not an "internal" deformation structure within the plate or ring 30 to accommodate relative movement between the skirt attachment means 42 and the ring 30 per se. That is, with reference to FIG. 1, although the deformable region 48 can deform, the distance between the horizontal plate or ring 30 and the skirt attachment means 42 remains unchanged because there is no relative movement between the skirt 34 and the plate or ring 30.

Thus, in view of the above discussion, it is seen that Van Brocklin et al. teach away from the invention claimed in the instant application. Accordingly, withdrawal of the rejection of independent claim 1 and its dependent claims 2, 8, and 9 over Van Brocklin is respectfully requested.

ALLOWABILITY OF THE REMAINING CLAIMS 10-16

It is believed that independent claim 1 clearly sets forth a structural combination that is patentable over the cited prior art, and that the combination is common to all species of the invention described in the instant patent application. Claim 1 is also believed to be generic for the reasons discussed above. Therefore, applicants request rejoinder of claims 10-16 with claims 1-9 and allowance of claims 10-16, as well as claims 1-9.

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Attached hereto is a marked-up version of the changes made to the specification by the current amendment. The attached page is captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE."

Further, it is believed that this entire application is now in condition for allowance, and such action is respectfully requested.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231, on December 19, 2002.


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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE SPECIFICATION:

The paragraph beginning at line 5 of page 7 has been amended as follows:

The reception sleeve 12 defines a clip-on housing 103 which forms reception means for the body 20 of a distribution device 2, for example a pump.

Conventionally, the housing 103 is designed to clip on a projecting reinforcement 21 formed by the body 20. The housing 103 allows the passage of an actuating rod 22, on which a thruster 23 is fitted. In addition, the sleeve 12 forms a plate 102 which extends radially outwards. The flange [121] 111 extends above the plate 102 of the bushing 11.

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